

## **MINUTES**

### **MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON NATURAL RESOURCES AND ENERGY**

**Call to Order:** By **CHAIRMAN GREG LIND**, on March 30, 2007 at 3:00 P.M., in Room 422 Capitol.

#### **ROLL CALL**

**Members Present:**

Sen. Greg Lind, Chairman (D)  
Sen. Aubyn Curtiss (R)  
Sen. Kelly Gebhardt (R)  
Sen. Dan Harrington (D)  
Sen. Christine Kaufmann (D)  
Sen. Gary L. Perry (R)  
Sen. Bill Tash (R)  
Sen. Mitch Tropila (D)  
Sen. David E. Wanzonried (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Claudia Johnson, Committee Secretary  
Joe Kolman, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 291, 3/27/2007; HJ 14,  
3/27/2007; HJ 31, 3/27/2007; HB  
328, 3/27/2007; HB 405, 3/27/2007;  
HB 25, 3/21/2007  
Executive Action: HJ 14, HB 291

00:04:12 Vice Chair Sen. Wanzenried

**HEARING ON HB 291**

**Opening Statement by Sponsor:**

00:06:44 REP. JOHN (JACK) ROSS (R), HD 60, opened the hearing on HB 291, Exempt commercial AG grinders from air quality permit requirements.

**Proponents:**

00:08:27 Sen. Bob Story

00:08:45 Steve Pilcher, Montana Stockgrowers Association

00:10:05 Megan Brower, Montana Farm Bureau

00:10:31 Pat Torgerson, Women Involved in Farm Economics (WIFE)

00:11:09 Dave Kelsey, Farmer/Rancher

**Opponents:** None.

**Informational Testimony:**

00:12:10 Dan Walsh, Air Quality Division, Department of Environmental Quality (DEQ)

**Questions from Committee Members and Responses:** None.

**Closing by Sponsor:**

00:12:36 Rep. Ross

**HEARING ON HJ 14**

**Opening Statement by Sponsor:**

00:15:08 REP. RALPH HEINERT (R), HD 1, opened the hearing on HJ 14, Urge congressional revision of laws on sale of public property.

**Proponents:**

00:17:01 Mary Sexton, Director, Department of Natural Resources  
and Conservation (DNRC)

00:17:44 Dave Skinner, Montana Multiple Users Association (MMUA)

**Opponents:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

00:18:36 Sen. Tash to Mary Sexton, DNRC

**Closing by Sponsor:**

00:19:27 Rep. Heinert

**EXECUTIVE ACTION ON HJ 14**

00:19:50 **Motion/Vote:** SEN. TASH moved that HJ 14 BE CONCURRED  
IN. Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 291**

00:21:00 **Motion/Vote:** SEN. TASH moved that HB 291 BE CONCURRED  
IN. Motion carried unanimously by voice vote.

**HEARING ON HJ 31**

**Opening Statement by Sponsor:**

00:23:16 REP. GEORGE EVERETT (R), HD 5, opened the hearing on HJ  
31, Urge opposition to Rockies Prosperity Act.

**EXHIBIT**(nas68a01)

**Proponents:**

00:24:31 Gary Hall, Montanans for Multiple Use

**EXHIBIT**(nas68a02)

00:27:51 Dave Skinner, Montana Multiple Users Association (MMUA)

**EXHIBIT**(nas68a03)

00:32:18 Rep. Chas Vincent

00:34:19 Clarice Ryan, Self

**EXHIBIT**(nas68a04)

00:40:36 Newton Haleblan, Self

00:46:07 Ron Olfert, Self

**EXHIBIT**(nas68a05)

00:50:20 Joyce Hollopeter, Self

00:50:59 Sen. Aubyn Curtiss

**Opponents:**

00:52:09 Steve Kelly, Alliance for the Wild Rockies

00:58:10 Don Judge, Montana Chapter of the Sierra Club

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

01:00:23 Sen. Curtiss

**EXHIBIT**(nas68a06)

**Closing by Sponsor:**

01:00:46 Rep. Everett

**HEARING ON HB 328**

**Opening Statement by Sponsor:**

01:05:10 **REP. WAYNE STAHL (R), HD 35**, opened the hearing on **HB 328**, Revise Major Facilities Siting Act.

**Proponents:**

01:07:51 Van Jamison, Energy and Wind Consultant

01:09:24 Dan Flynn, International Brotherhood of Electrical  
Workers Local 44 (IBEW)

**Opponents:**

01:09:59 Patrick Judge, Montana Environmental Information Center  
(MEIC)

**EXHIBIT** (nas68a07)

**Informational Testimony:** None.

**Questions from Committee Members and Responses:** None.

**Closing by Sponsor:**

01:13:81 Rep. Stahl

**HEARING ON HB 405**

**Opening Statement by Sponsor:**

01:14:53 **REP. MICHAEL LANGE (R), HD 55**, opened the hearing on **HB 405**, Increase natural resource development for low-cost energy.

**Proponents:**

01:22:17 Don Allen, Western Environmental Trade Association  
(WETA)

01:23:20 Cary Hegreberg, Montana Contractors Association (MCA)

**EXHIBIT** (nas68a08)

01:28:20 Dave Galt, Montana Petroleum Association

01:28:30 Dave Kelsey, Director, Yellowstone Electric

**Opponents:**

01:31:18 Jeff Barber, Montana Environmental Information Center  
(MEIC)

01:34:40 Don Judge, Montana Chapter of the Sierra Club

01:38:21 Richard Parks, Northern Plains Resource  
Council

01:41:30 Janet Ellis, Montana Audubon

**EXHIBIT(nas68a09)**

01:44:06 Joe Brennen, Chairman of the Flathead County  
Commissioners

01:44:36 Sarah Cobler, Montana Conservation Voters

01:45:20 Evan Barrett, Economic Development, Governor's Office

01:48:06 Russ Doty, Green Buying Cooperative

01:50:27 Chuck Magraw, Natural Resource and Defense Council

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

01:51:42 Sen. Wanzonried to Rep. Lange

**Closing by Sponsor:**

01:52:03 Rep. Lange

**HEARING ON HB 25**

**Opening Statement by Sponsor:**

01:56:27 **REP. ALAN OLSON (R), HD 45**, opened the hearing on **HB 25**, Generally revise electric industry restructuring laws.

**Proponents:**

01:58:50 Greg Jergeson, Chairman, Public Service Commission  
(PSC)

**EXHIBIT(nas68a10)**

02:11:18 Bob Raney, PSC

**EXHIBIT(nas68a11)**

02:19:12 Doug Mood, PSC

**EXHIBIT(nas68a12)**

02:31:21 Gerald Mueller, Self

**EXHIBIT (nas68a13)**

02:39:48 John Fitzpatrick, Northwestern Energy (NWE)

02:45:62 Chuck Magraw, Natural Resource and Defense Council

**EXHIBIT (nas68a14)**

**Opponents:**

02:47:18 Ken Toole, PSC

**EXHIBIT (nas68a15)**

02:49:41 Patrick Judge, Montana Environmental Information Center  
(MEIC)

02:52:43 David Hoffman, PPL Montana, LLC

**EXHIBIT (nas68a16)**

03:08:23 Tim Gregori, Manager, Southern Montana Generation  
and Transmission Cooperative, Inc. (SMGTC)

03:12:14 Alec Hansen, Montana League of Cities and Towns

**EXHIBIT (nas68a17)**

03:15:58 John Lawton, City Manager, Great Falls

03:18:22 Chuck Magraw, Natural Resource and Defense Council

03:20:13 Bob Nelson, Montana Consumer Counsel

03:31:11 Colleen Balzarler, City of Great Falls

03:33:38 John Prinkki, President of Beartooth Electric  
Cooperative

03:38:02 Dave Kelsey, Director, Yellowstone Valley Electric

03:39:19 Scott Sweeney, General Manager, Fergus Electric  
Cooperative

03:43:13 Russell Doty, Executive Director, Green Electricity  
Cooperative

**Informational Testimony:**

03:52:47 Brad Molnar, Public Service Commission (PSC)

[EXHIBIT\(nas68a18\)](#)

[EXHIBIT\(nas68a19\)](#)

**Questions from Committee Members and Responses:**

04:05:59 Sen. Lind to Greg Jergeson, PSC

04:11:11 Will Rosquist, Attorney, PSC

04:14:03 Sen. Curtiss to Rep. Olson

04:15:45 Sen. Curtiss to Tim Gregori, SMGTC

04:18:58 Sen. Curtiss to Bob Raney, PSC

[EXHIBIT\(nas68a20\)](#)

04:22:30 Sen. Harrington to Rep. Olson

04:26:17 Sen. Lind to Gerald Mueller, Self

04:22:30 Sen. Kaufmann to Gerald Mueller, Self

04:36:12 Sen. Kaufmann to Bob Nelson, PSC

04:38:28 Sen. Lind to Bob Nelson, PSC

04:41:50 Sen. Curtiss to Rep. Olson

04:43:14 Sen. Curtiss to Tim Gregori, SMGTC

04:44:07 Sen. Curtiss to Brad Molnar, PSC

04:46:07 Sen. Curtiss to Doug Mood, PSC

04:51:44 Sen. Lind to Doug Mood, PSC

04:56:04 Sen. Lind to John Fitzpatrick, NWE

04:58:58 Sen. Gebhardt to Doug Mood, PSC

05:02:07 Sen. Lind to Will Rosquist, PSC

05:04:33 Sen. Lind to Bob Nelson, PSC



05:06:59 Sen. Gebhardt to John Fitzpatrick, NWE

05:10:47 Sen. Lind to Greg Jergeson, PSC

**Closing by Sponsor:**

05:13:44 Sen. Olson

**ADJOURNMENT**

Adjournment: 7:30 P.M.

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SEN. GREG LIND, Chairman

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CLAUDIA JOHNSON, Secretary

GL/cj

Additional Exhibits:

**EXHIBIT ([nas68aad.pdf](#))**